



ZONING ADMINISTRATOR NOTICE OF DECISION

Date: December 16, 2010
Applicant: County of San Diego Probation Department
Case No.: PCC-10-072
Address: 1095 Bay Blvd
Project Planner: Michael W. Walker

Notice is hereby given that on December 16, 2010 the Zoning Administrator considered Conditional Use Permit (CUP) application PCC-10-072, County of San Diego Probation Department ("Applicant"). The Applicant requests a CUP to establish the administrative offices in an existing building ("Project"). The Project is located at 1095 Bay Blvd. ("Project Site") and is owned by Inland Industries Group, LP ("Property Owner"). The Project Site is zoned General Industrial (IG) by the Chula Vista Municipal Code (CVMC), and is designated General Industrial (IG) by the General Plan. The Project is more specifically described as follows:

The San Diego County Probation Department will use an existing 15,240 square foot building to operate its south county administrative offices within an existing multi-tenant industrial business park. The use will be for office space to accommodate up to 75 Probation Officers and clerical staff who will perform desk and telephone work; meet with probationers and file updates on their conditions of probation. No holding cells or other form of incarceration is proposed with the use. The hours of operation are Monday - Friday from 8:00 a.m. to 5:00 p.m. There is no exterior building expansion or alteration proposed.

The Project is located within the Bayfront Specific Plan area, and is within the Coastal Zone. Pursuant to CVMC Section 19.83.006(e), the Project is not considered a new development because it is a tenant improvement and will occupy and operate in an existing building therefore a Coastal Development Permit is not required. The Project is a quasi-public use because it provides law enforcement services to the public on behalf of the County of San Diego Probation Department. Pursuant to CVMC 19.54.020(M), a quasi-public use is considered an unclassified use, which is permitted in any zone with a conditional use permit.

The Project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the Project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (Existing facilities) of the State CEQA Guidelines. No further environmental review is necessary.

The Zoning Administrator, under the provisions of Sections 19.14.030.A of the Chula Vista Municipal Code and Bayfront Specific Plan, has been able to make the findings for approval of this conditional use permit as required by CVMC Section 19.14.080:

- 1. That the proposed use at this location is necessary or desirable and will contribute to the general well being of the neighborhood or the community.**

The use will be established in South County to provide the County Probation Department a location to perform law enforcement services in Chula Vista. The use's location is west of the Interstate 5 freeway in an area where a variety of businesses are established.

- 2. That such use will not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The proposed use will occupy an existing building located within an industrial business park where a variety of uses are established including agencies that provide job training/educational services; light industrial uses; administrative offices; supply services; and wholesale trades. The use is compatible with these surrounding uses, and will not be an impact to, or intensify the area because the use is not expected to generate a large volume of clients at one time. The use requires 51 parking spaces; there is a total of 338 parking spaces available for the uses at the multi-tenant industrial business complex therefore, sufficient parking is provided for the use. Additionally, probation officers conduct business off-site at various times during business hours so all parking spaces may not be occupied at one time. There are no plans to expand or alter the building. The proposed use is subject to all health, safety and general welfare standards and regulations set forth by the City of Chula Vista.

- 3. That the proposed use will comply with the regulations and conditions specified in the code for such use.**

The approval of the use is contingent on the Applicant's commitment to satisfy all conditions of approval and to comply with all applicable regulations and standards specified in the Chula Vista Municipal Code regulations. The conditions of this permit are approximately in proportion to the nature and extent of the impact created by the use in that the conditions imposed are directly related to, and of a nature and scope related to the size and impact of the use.

- 4. That the granting of this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.**

The use is a quasi-public use because it provides law enforcement services to the public on behalf of the County of San Diego Probation Department. Pursuant to CVMC 19.54 Unclassified Uses are allowed in any zone with a conditional use permit. The use is compatible with others use in the area and will not impact the City of Chula Vista General Plan and Bayfront Specific Plan. The proposed use, as conditioned, is in conformance with the City of Chula Vista General Plan, Bayfront Specific Plan and Chula Vista Municipal Code.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Conditional Use Permit PCC-10-072, as described above subject to the following conditions of approval:

I. Prior to the approval by the City of Chula Vista for the use of the subject property in reliance upon this approval, the Applicant shall satisfy the following requirement:

1. The Applicant/Representative and Property Owner shall execute this document by making a true copy and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner/representative

Date

Building Condition

2. The Applicant shall comply with the 2007 California Building Code (CBC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Electrical Code (CEC), California Fire Code (CFC), 2008 California Energy Code, as adopted and amended by the State of California and the City of Chula Vista, as well as the Green Building Ordinance (CVMC 15.12) and all other locally adopted City and state requirements.

Planning Condition

3. The Applicant shall obtain a sign permit prior to installing any signage for business identification.

II. Prior to occupancy or final inspection.

Engineering Condition

4. If the Applicant is required to obtain a building permit for required site improvements that exceed \$33,762.11, then the Applicant will also be required to process a construction permit to construct missing, or damaged street

improvements along the frontage of the property. These street improvements include, but are not limited to the following:

- The Applicant shall replace one driveway on the site to comply with current City standards.

Fire Conditions

5. The Applicant shall provide a Knox Vault at the building's main entrance and fire control room.
6. The Applicant shall provide a fire extinguisher, with a minimum rating of 2A 10BC, every 3000 square feet and 75 feet of travel distance in any direction.
7. Automatic gates shall be provided with both an Opticom Detection System and a Knox Key Switch override.
8. The building(s) shall be addressed in accordance with the following criteria:
 - 0 – 50ft from the building to the face of the curb = 6-inches in height with a 1-inch stroke
 - 51 – 150ft from the building to the face of the curb = 10-inches in height with a 1 ½ -inch stroke
 - 151ft from the building to the face of the curb = 16-inches in height with a 2-inch stroke

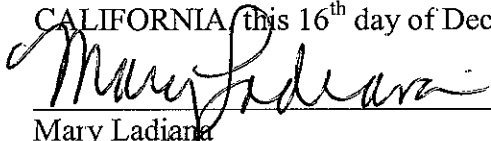
III. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

9. The Applicant shall maintain and operate the Project in accordance with the approved plans for PCC-10-072, date stamped on December 16, 2010, which includes a site plan, floor plan and photographs of the existing building elevations on file in the Planning Division, the conditions contained herein, and Title 19.
10. The hours of operation shall be Monday through Friday 8:00 a.m. to 5:00 p.m.
11. Approval of this Project shall not waive the Applicant's responsibility to comply with all sections of Title 19 of the CVMC, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Conditional Use Permit.
12. The Applicant shall execute this Conditional Use Permit as the authorized use only. Any new use or modification/expansion of uses shall be subject to the review and approval of the Zoning Administrator.
13. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members,

officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this Conditional Use Permit where indicated below. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this Conditional Use Permit and shall be binding on any and all of Applicant/Operator's successors and assigns.

14. This Conditional Use Permit shall become void and ineffective if not utilized or extended within the time allotted in Section 19.14.260 of the Municipal Code.
15. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.
16. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 16th day of December 2010.



Mary Ladiana
Zoning Administrator